IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2656 of 2007

CRIME NO.89/07 OF KOIPURAM POLICE STATION

.....

PETITIONER/3RD ACCUSED:

VENUGOPAL K.K. , AGED 35 YEARS,
S/O.AYYAPPAN NAIR, KAINATHARAYIL VEEDU,
KOZHENCHERRY TOWN AND TALUK.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS/COMPLAINANT AND STATE:

1. S.I. OF POLICE, KOIPURAM POLICE STATION.

2. THE STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.RAVINDRABABU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.Balachandran, J.

B.A.No. 2656 of 2007

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. The petitioner is the third accused in Crime No.89/07 of Koipuram Police Station, registered for offences under Sections 143, 147, 148, 427, 308, 323 and 324 IPC read with Section 149 thereof. The occurrence in the case has taken place on 15.3.2007. The Investigating Agency could not apprehend the petitioner till date. In the circumstances, I am of the view that to enable effective investigation of the case, it is necessary that the petitioner is granted anticipatory bail and is directed to appear before the Investigating Agency for questioning.

In the result, I allow this bail application and direct that:

(i) the petitioner do surrender before the learned Magistrate concerned positively within fifteen days from today;

(ii) that on such surrender and on his depositing, by way of cash security, an amount of Rupees twenty thousand and executing bail bond for Rupees thirty thousand with two solvent sureties each for like sums to the satisfaction of the learned Magistrate concerned, the petitioner shall be enlarged on bail;

(iii) that on such release the petitioner shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iv) that the grant of anticipatory bail shall not stand in the way of the learned Magistrate granting custody of the petitioner to the

Investigating Officer for questioning, if the Investigating Agency so asks for and the learned Magistrate deems it fit to grant, considering the circumstances of the case.

4th May, 2007 (K.P.Balachandran, Judge)

tkv